

# RECREATION & COMMUNITY ENHANCEMENT COMMITTEE

## A G E N D A

TOWN OF CHINCOTEAGUE

November 9, 2006 - 5:30 P.M. – Council Chambers - Town Hall

CALL TO ORDER

ROLL CALL

OPEN FORUM / PUBLIC PARTICIPATION

AGENDA ADOPTION:

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1. Skate Park Experimental Project to Potentially Prohibit Vandalism (Chief Lewis)
  2. Proposed Weed Ordinance, Section 66, Letter from Town Attorney
  3. Committee Member Comments

ADJOURN:

# MEMORANDUM

Date: 11/6/2006  
To: Parks, Recreation & Community Enhancement Committee  
From: Chief E.W. Lewis  
RE: Skate Park

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Due to a recent increase in graffiti around the Island and after speaking with several individuals responsible for the vandalism, I would like to start an experimental project. I would like to place two 4' x 8' sheets of plywood, or similar material, at the Skate Park in Memorial park for some of the Island youth to paint on. There would be strict rules regarding the type of language and drawings permitted on the boards, no foul language or obscene drawings would be permitted along with other rules as necessary. This project would be overseen by me through the Department on a daily basis. It is my hope that, if successful, this could lead to less vandalism on the skating equipment.

POULSON NORHAM & LEWIS  
Attorneys and Counselors at Law

Three Cross Street  
P. O. Box 478  
Accomac, Virginia 23301

Telephone: 757-787-2620  
Fax: 757-787-2749

**TO:** Kenny Lewis  
**FROM:** Jon C. Poulson  
**DATE:** November 6, 2006  
**SUBJECT:** Proposed Weed Ordinance

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Look at Section 15.2-901 and 902. A weed ordinance under 15.2-901 can only apply to vacant developed or undeveloped property. "Vacant developed" can include property where buildings or other improvements are located. It would appear that such an ordinance cannot apply to a non-vacant developed lot. Conversely can apply to a vacant developed property or an undeveloped piece of property. Platting a lot for a subdivision would probably be a developed lot, although "vacant" until inhabited. Such an ordinance could not regulate the person who lives in a house on the property and simply declines to cut his grass and weeds.

Under Section 15.2-902 you can control certain noxious weeds on any property.

The proposed ordinance is contrary to 15.2-901 in that it applies to any property. There are other problems such as requiring one to cut the state right-of-way. Further the notice provision is too short before the Town cuts; notice should be by certified mail return receipt requested; it does not create a lien on the property after the Town cuts it for the charge; and an ordinance should also provide that it is a Class 3 Misdemeanor to not cut after notice as provided therein.

As you may recall the Town debated a weed ordinance some years ago for several months.

Personally I favor a weed ordinance but it has to be drawn in accordance with the statute.

Cc: File